

NOT FOR PUBLICATION

SEP 14 2006

UNITED STATES COURT OF APPEALS

CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS

FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

DEBORAH PASCUAL,

Defendant - Appellant.

No. 05-10493

D.C. No. CR-03-00254-SOM

MEMORANDUM*

Appeal from the United States District Court
for the District of Hawaii
Susan Oki Mollway, District Judge, Presiding

Submitted September 11, 2006**

Before: PREGERSON, T.G. NELSON, and GRABER, Circuit Judges.

Deborah Pascual appeals from her guilty-plea conviction and 46-month sentence for possession with intent to distribute cocaine base, in violation of 21 U.S.C. §§ 841(a), (b)(1)(C).

Pursuant to *Anders v. California*, 386 U.S. 738 (1967), counsel for Pascual

* This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.

** This panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

has filed a brief stating there are no grounds for relief, and a motion to withdraw as counsel of record. Pascual filed a pro se supplemental brief and the government filed an answering brief.

Our independent review of the briefs and the record, pursuant to *Penson v. Ohio*, 488 U.S. 75, 83 (1988), discloses no grounds for relief.

Counsel's motion to withdraw is **GRANTED**, and the district court's judgment is **AFFIRMED**.